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Frank C. Eisenschenk  
Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE STATEMENT  
Examining Group 1617  
Patent Application  
Docket No. UTR-104D1  
Serial No. 10/066,057

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Examiner : Unassigned  
Art Unit : 1617  
Applicant(s) : Michael B. Zemel, Hang Shi, Paula C. Zemel  
Serial No. : 10/066,057  
Filed : January 31, 2002  
Conf. No. : 8306  
For : MATERIALS AND METHODS FOR THE TREATMENT OR PREVENTION OF OBESITY

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, Applicants would like to bring to the attention of the Examiner, the references cited in the following patent application:

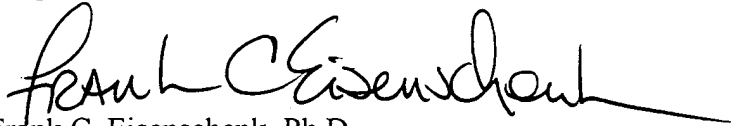
U.S. Serial No. 09/654,357, filed September 1, 2000.

37 C.F.R. § 1.98(d) states that a copy of any patent, publication, or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied on for an earlier filing date under 35 U.S.C. § 120.

As copies of the references cited on the attached form PTO-1449, can be found in patent application Serial Number 09/654,357, filed September 1, 2000, copies of those references are not provided herewith. The subject application, Serial No. 10/066,057, claims the benefit under 35 U.S.C. § 120 of the filing date of patent application Serial No. 09/654,357. Accordingly, Applicants respectfully request that the copies of references supplied in the Information Disclosure Statement of the 09/654,357 application, as well as references cited during prosecution thereof, be made of record in this application.

Applicants respectfully assert that the substantive provisions of 37 C.F.R. §§ 1.56, 1.97, and 1.98 are met by the foregoing statements.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

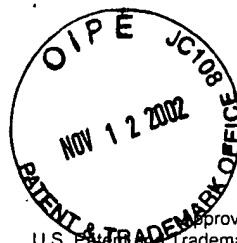
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Attachment: PTO Form SB/08A (Substitute for Form 1449)



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/066,057
Filing Date	January 31, 2002
First Named Inventor	Zemel
Group Art Unit	1617
Examiner Name	Unassigned
Attorney Docket Number	UTR-104D1

Sheet 1 of 3

**NON PATENT LITERATURE DOCUMENTS**

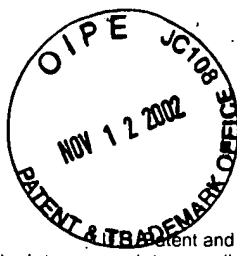
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	BÖRJESON, M. [1976] "The Aetiology of Obesity in Children," <i>Acta Pædiatr Scan</i> 65:279-87	
	R2	CARPER, JEAN [2000] "Amazing Food Facts that Astound the Experts," <i>USA Weekend</i> , Aug. 18-20, 2000, p.4	
	R3	CNN, "Zemel Weight Loss Story, March 30, 2000; And NATIONAL DAIRY COUNCIL, "Dairy Foods May Help Control Weight Gain," June 9, 2000, videotape	
	R4	COLINO, S., "Advanced Calcium, Lose Weight, avoid PMS and ward off cancer, all with one basic nutritional element," <i>Women's Sports &amp; Fitness</i> , March 2000, page 56	
	R5	DAVIS, J., "Weight-Loss Tip: Add Extra Calcium to a Low-Fat Diet, Low-Fat Dairy Products May Help Weight Loss, Control," <i>WebMDHealth</i> , April 17, 2000 (printed from website), Publisher: 2000 Healtheon/WebMD.	
	R6	FLEET, J.C. [1999] "Vitamin D. Receptors: Not Just in the Nucleus Anymore," <i>Nutrition Reviews</i> Vol. 57; No. 2, pp. 60-2	
	R7	FLEURY, CHRISTOPHE, <i>et al.</i> [1997] "Uncoupling Protein-2: a Novel Gene Linked to Obesity and Hyperinsulinemia", <i>Nature Genetics</i> 15:269-72	
	R8	GIMENO, R. <i>et al.</i> [1997] "Cloning and Characterization of an Uncoupling Protein Homolog: A Potential Molecular Mediator of Human Thermogenesis," <i>Diabetes</i> 46:900-06	
	R9	JONES, BRYNN H., <i>et al.</i> [1997] "Angiotensin II Increases Lipogenesis in 3T3-L1 and Human Adipose Cells," <i>Endocrinology</i> , Vol. 138, No. 4, pp. 1512-19	
	R10	KIM, JUNG HAN, <i>et al.</i> [1996] "The Effects of Calcium Channel Blockade on <i>Agouti</i> -Induced Obesity", <i>The FASEB Journal</i> 10:1646-52	
	R11	LANGE, D., "The Calcium Diet", <i>Allure</i> , August 2000, page 84	
	R12	MASLOWSKA, M. <i>et al.</i> [1998] "Site Specific Binding of Acylation Stimulating Protein (ASP) in Human Adipose Tissue," <i>Int. J. Obesity</i> 22:S108 (P50)	
	R13	MCCARTHY, L., "Got Milk, Lose Weight?", <i>Remedy Magazine</i> , March/April 2000, page 11	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/066,057
				Filing Date	January 31, 2002
				First Named Inventor	Zemel
				Group Art Unit	1617
				Examiner Name	Unassigned
				Attorney Docket Number	UTR-104D1
Sheet	2	of	3		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R14	MOLL, P.P., <i>et al.</i> [1991] "The Genetic and Environmental Sources of Body Mass Index Variability: The Muscatine Ponderosity Family Study," <i>Am. J. Hum. Genet.</i> 49:1243-55	
	R15	MUNDELL, E.J., "Trying to Lose Weight? Calcium May Help", <i>Reuters health report</i> , April 17, 2000, (printed from website), Publisher: Reuters Limited	
	R16	MYNATT, R. L., <i>et al.</i> [1997] "Combined Effects of Insulin Treatment and Adipose Tissue-Specific Agouti Expression on the Development of Obesity," <i>Proc. Natl. Acad. Sci. USA</i> 94:919-922	
	R17	NEMERE, I., <i>et al.</i> [1998] "Identification of a Membrane Receptor for 1,25-Dihydroxyvitamin D <sub>3</sub> Which Mediates Rapid Activation of Protein Kinase C," <i>J. of Bone and Mineral Research</i> 13:1353-59	
	R18	PANTALONE, M., "Hello Calcium, Goodbye Fat," <i>UT Agriculture</i> , Fall 2000, pages 5-7	
	R19	RABKIN, R., "Calcium Promotes Weight Loss," <i>Family Circle</i> , Oct. 3, 2000, page 98	
	R20	RALOFF, J., "Calcium May Become a Dieter's Best Friend", <i>Science News</i> , April 29, 2000, page 277, vol. 157	
	R21	SHI, HANG, <i>et al.</i> [1999] "Role of the Sulfonylurea Receptor in Regulating Human Adipocyte Metabolism," <i>The FASEB Journal</i> 13:1833-38	
	R22	SHI, H. <i>et al.</i> [2000] "Effects of Dietary Calcium on Adipocyte Lipid Metabolism and Body Weight Regulation in Energy-Restricted Mice," <i>FASEB J</i> 14:555.3 (page A790)	
	R23	SHI, H. <i>et al.</i> [2000] "1, 25-Dihydroxyvitamin D (1,25-(OH) <sub>2</sub> -D) Inhibits Uncoupling Protein 2 (UCP2) Expression in Human Adipocytes," <i>Obesity Research</i> 8(1):52S (O154)	
	R24	SHI, H. <i>et al.</i> [2001] "Effects of Dietary Calcium on Adipocyte Lipid Metabolism and Body Weight Regulation in Energy-Restricted aP2-agouti Transgenic Mice," <i>FASEB J</i> 15:291-3 and 10.1096/fj.00-0584fje	
	R25	SHI, H. <i>et al.</i> [2001] "1α, 25-Dihydroxyvitamin D <sub>3</sub> Modulates Human Adipocyte Metabolism via Nongenomic Action," <i>FASEB J</i> 15:835.6 (page A1091)	
	R26	SMITH, S., "Functional Foods ... Potential New Functional Qualities of Dairy Foods", <i>NCC Newsletter</i> , 2001, pages 34-5, vol. 3, issue 2; Publisher: Nutrition in Complementary Care	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/066,057
Filing Date	January 31, 2002
First Named Inventor	Zemel
Group Art Unit	1617
Examiner Name	Unassigned
Attorney Docket Number	UTR-104D1

Sheet 3 of 3

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R27	SOBEL, R.K. [2000] "Catching' the Fat Bug," <i>U.S. News &amp; World Report</i> p.64	
	R28	SUMMERBELL, C.D., <i>et al.</i> [1998] "Randomised Controlled Trial of Novel, Simple, and Well Supervised Weight Reducing Diets in Outpatients," <i>BMJ</i> 317:1487-89	
	R29	UNKNOWN, "5-Step Fat-Blasting Diet," <i>Prevention Magazine</i> , June 2000, page 151	
	R30	UNKNOWN, "Calcium and Weight-Loss", <i>Medizine</i> , Jan-Feb-Mar 2001, page 52	
	R31	ZEMEL, M. <i>et al.</i> [1999] "Calcium and Calcium-Rich Dairy Products Reduce Body Fat," <i>FASEB J</i> 12:LB211	
	R32	ZEMEL, M. <i>et al.</i> [1999] "Synergism between Diet-Induced Hyperinsulinemia and Adipocyte-Specific Agouti Expression," <i>FASEB J</i> 13:660.3 (page A873)	
	R33	ZEMEL, M., "Readers Want to Know", <i>Bottom Line/Health</i> , October 2000	
	R34	ZEMEL, M. <i>et al.</i> [2001] "Effects of Calcium-Fortified Breakfast Cereal on Adiposity in a Transgenic Mouse Model of Obesity," <i>FASEB J</i> 15:480.7 (page A598)	
	R35	ZEMEL, M.B., <i>et al.</i> [2000] "Regulation of Adiposity by Dietary Calcium," <i>The FASEB Journal</i> Vol. 14, No. 9, pp. 1132-7	
	R36	ZEMEL, P. <i>et al.</i> [2000] "Increasing Dietary Calcium and Dairy Product Consumption Reduces the Relative Risk of Obesity in Humans," <i>Obesity Research</i> 8(1):118 (HT-04)	
	R37		
	R38		
	R39		

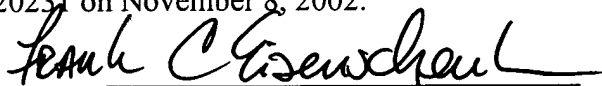
Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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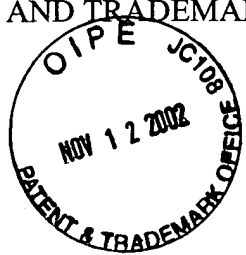


Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE STATEMENT  
Examining Group 1617  
Patent Application  
Docket No. UTR-104D1  
Serial No. 10/066,057

1617  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Examiner : Helen Nguyen  
Art Unit : 1617  
Applicants : Michael B. Zemel, Hang Shi, Paula Zemel  
Serial No. : 10/066,057  
Filed : January 31, 2002  
Conf. No. : 8306  
For : Materials and Methods for the Treatment or Prevention of Obesity

Assistant Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97, AND 1.98

Sir:

In accordance with 37 C.F.R. § 1.56, the references on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

The undersigned hereby certifies that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate

marks. If any additional fee is required, or to credit any overpayment, please use Deposit Account No. 19-0065.

Applicants respectfully assert that the substantive provisions of 37 C.F.R. §§ 1.56, 1.97, and 1.98 are met by the foregoing statements.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

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Phone No.: 352-375-8100

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Gainesville, FL 32606-6669

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Attachments: Form PTO/SB/08A & B (2 pages)  
Copy of Partial International Search Report  
Copies of references cited